

03-08-06

IFW 3763

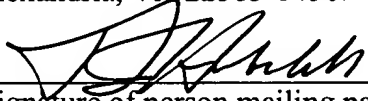


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SMOLYAROV et al.) ATTORNEY DOCKET: 01752810
)
 SERIAL NO.: 09/717,559) GROUP ART UNIT: 3763
)
 FILED: November 21, 2000) EXAMINER: Manuel A. MENDEZ
)
 TITLE: SAFETY MECHANISMS TO PREVENT ACCIDENTAL PATIENT
 INJECTION AND METHODS OF SAME
)
 DATE: March 3, 2006 CUSTOMER NO.: 26565

Certificate of Mailing by "Express Mail"

"Express Mail" mailing label No.EV113371127US. Date of Deposit: March 3, 2006.
 I hereby certify that this paper (and its recited enclosures) or fee is being deposited with the
 United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R.
 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450,
 Alexandria, VA 22313-1450.


 (signature of person mailing paper or fee)

Timothy M. Hubalik

(typed name of person mailing paper or fee)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

REQUEST FOR PERMISSION TO WITHDRAW

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

(Check the following item, if appropriate)

- ☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under 37 C.F.R. § 1.60(b) or 37 C.F.R. § 1.62(c), this withdrawal request is also for such continuing application.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the inventor(s) or assignee(s) of the entire interest is:

James Smith
President and CEO
Felton International, Inc.
8210 Marshall Drive
Lenexa, KS 66214

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi).
Explanation (including brief description of exhibits, if any)

The client has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services.

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due *(if any)*

- (i) ☐ There is no outstanding term for response.
(ii) ☐ There is an outstanding term for response that is set to expire on _____
The above term is extendible under 37 C.F.R. § 1.136(a), until _____
and the fees for such extension ☐ are ☐ are not being submitted herewith.
(iii) ☐ Also, submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a) is:

- ☐ at least _____
☐ cannot be calculated because this case is/will now be awaiting action by the PTO.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including any attachments, is being sent to the client. A copy of the letter to the client is attached.

NUMBER OF COPIES OF REQUEST

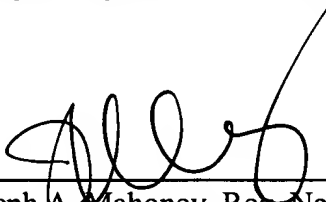
6. This request is enclosed in triplicate.
(To expedite the handling of request for permission to withdraw as attorney under 37 C.F.R. § 1.36, submit the request in triplicate.)

7. Related Applications for Which Withdrawal is Requested.

Withdrawal also is (has been) requested in the following related application(s):

SIGNATURE(S) OF WITHDRAWING ATTORNEY(S)

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)



Joseph A. Mahoney, Reg. No. 38,956

Date: March 3, 2006

MAYER, BROWN, ROWE & MAW LLP

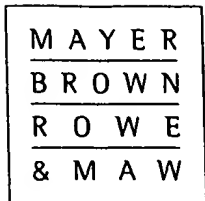
P.O. Box 2828

Chicago, IL 60690-2828

Telephone: (312) 701-8979

Facsimile: (312) 706-9000

Via Email/Certified Mail Return Receipt Requested



March 7, 2006

Mr. James Smith
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Mr. Michael Dutcher
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Direct Fax (312) 706-8530
jamahoney@mayerbrownrowe.com

**Re: Withdrawal from Representation of Felton
International, Inc. and Felton Medical, Inc.**

Dear Jim and Mike:

This letter will provide further confirmation of our withdrawal from the representation of Felton International, Inc. and Felton Medical, Inc. (collectively, "Felton"). We will take no further actions as to Felton's matters. My firm is uncomfortable with not being timely paid our outstanding balances that has long characterized our relationship with Felton. Over the years, we have advanced significant out of pocket costs on behalf of Felton, and we became increasingly concerned that Felton will not be able to pay our bills in a reasonably timely fashion. Accordingly, we are no longer responsible for any of Felton's patent matters or for any other aspect of legal representation.

Enclosed please find copies of our letters to the USPTO and foreign associates. Felton is now solely responsible for corresponding with these entities. We undertake no obligation to update Felton any further regarding the patents listed in the attached docket report. If we send Felton mail or other notifications related to these matters, it is solely as a matter of courtesy and shall not constitute an attorney-client relationship. Consequently, we suggest that your new attorneys or you immediately coordinate with the USPTO and the foreign associates regarding the handling of Felton's cases.

We will, in due course, be tendering to you our final bill. Please pay it promptly to avoid a collection action. I suggest that you call Mike Schaller to discuss.

Thank you for your attention to the above and I wish Felton well in its future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Mahoney", written over a horizontal line.

Joseph A. Mahoney

JAM/gjm

Brussels Charlotte Chicago Cologne Frankfurt Houston London Los Angeles Manchester New York Palo Alto Paris Washington, D.C.
Independent Mexico City Correspondent: Jauregui, Navarrete, Nader y Rojas, S.C.

Mayer, Brown, Rowe & Maw LLP operates in combination with our associated English limited liability partnership in the offices listed above.

Felton International, Inc.

March 7, 2006

Page 2

Enclosures

cc: Jamison E. Lynch (w/o enclosures)
Robin Cali (w/o enclosures)
Mike Schaller (w/o enclosures)

Page:

107-Mar-2006 To: 31-Dec-2006

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Atty's
09-Mar-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.01752874 / c1 China (Peoples Republic)	Published FELTON INTERNATIONAL, INC	00817572.1	21-Jun-2002	JAM JEL
Foreign Matter No.: 02989686 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
15-Mar-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL <i>Title: Handpiece For Jet Injector</i>						
22-Mar-2006 Reminder	Issue fee due 2 Months US-ALLOWANCE	114010.01753150 / 1 United States of America	Published FELTON INTERNATIONAL, INC	10/269548	11-Oct-2002	JAM JEL
Foreign Matter No.: 02033941 Resp.Off.: IL <i>Title: Universal Protector Cap For Injectors</i>						
02-Apr-2006 Reminder	REMINDER 2 months to due date REMINDER	114010.01752874 / c1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
09-Apr-2006 Reminder	REQUEST FOR EXA Follow Up Date REQUEST FOR EXAMINATION	114010.01753150 / p2 Japan	Published FELTON INTERNATIONAL, INC	2004-529041	12-Apr-2004	JAM JEL
Foreign Matter No.: 04271160 Resp.Off.: IL <i>Title: Universal Protector Cap For Injectors</i>						
09-Apr-2006 Reminder	REQUEST FOR EXA Follow Up Date REQUEST FOR EXAMINATION	114010.02033872 / p Japan	Published FELTON INTERNATIONAL, INC	2003-552362	12-Apr-2004	JAM JEL
Foreign Matter No.: 04271131 Resp.Off.: IL <i>Title: Jet Injector With Hand Piece</i>						

Page: 2

107/Mar-2006 To 31-Dec-2006

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
10-Apr-2006 Reminder	6 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 Canada	Pending FELTON INTERNATIONAL, INC	2387326	11-Apr-2002	JAM JEL
Foreign Matter No.: 02975034 Resp.Off.: IL						
10-Apr-2006 Reminder	6 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 European Patent Convention	Granted FELTON INTERNATIONAL, INC	00981015.1 1220697	12-Apr-2002 29-Dec-2004	JAM JEL
Foreign Matter No.: 02975089 Resp.Off.: IL						
10-Apr-2006 Reminder	6 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 France	Granted FELTON INTERNATIONAL, INC	00981015.1 1220697	12-Apr-2002 29-Dec-2004	JAM JEL
Foreign Matter No.: 05108061 Resp.Off.: IL						
13-Apr-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.01752874 / e1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL						
15-Apr-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL						
18-Apr-2006 Reminder	1 YEAR STATUS CHECK	114010.01914851 / C United States of America	Pending FELTON INTERNATIONAL, INC	11/108358	18-Apr-2005	JAM JEL
Foreign Matter No.: 05048486 Resp.Off.: IL						
Title: Universal Protector Cap With Auto-Disable Features For Needle-Free Injectors						

Due Date List By Date

1007-Mar-2006 To 31-Dec-2006

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
22-Apr-2006 Reminder	Issue fee due 1 Month US-ALLOWANCE	114010.01753150 / 1 United States of America	Published FELTON INTERNATIONAL, INC	10/269548	11-Oct-2002	JAM JEL
Foreign Matter No.: 02033941 Resp.Off.: IL						
22-Apr-2006 Reminder	1 Mo. - Publication fee due PUBLICATION FEE	114010.01753150 / 1 United States of America	Published FELTON INTERNATIONAL, INC	10/269548	11-Oct-2002	JAM JEL
Foreign Matter No.: 02033941 Resp.Off.: IL						
25-Apr-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.01753150 / p2 European Patent Convention	Published FELTON INTERNATIONAL, INC	02807693.3		JAM JEL
Foreign Matter No.: 04271119 Resp.Off.: IL						
02-May-2006 Reminder	REMINDER 1 month to due date REMINDER	114010.01752874 / e1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL						
09-May-2006 Reminder	ACCEPTANCE Follow Up Date ACCEPTANCE	114010.02033872 / p New Zealand	Pending FELTON INTERNATIONAL, INC	532866	11-May-2004	JAM JEL
Foreign Matter No.: 04282224 Resp.Off.: IL						
15-May-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL						
Title: Handpiece For Jet Injector						

07 May 2006 To 31 Dec 2006

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
28-May-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.01753150 / p1 China (Peoples Republic)	Published FELTON INTERNATIONAL, INC	00815814.2	17-May-2002	JAM JEL
Foreign Matter No.: 02975052 Resp.Off.: IL <i>Title: Universal Protector Cap For Injectors</i>						
30-May-2006 Reminder	6 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01752874 / e1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
02-Jun-2006 Due Date	Translation due	114010.01752874 / e1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
06-Jun-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.02033872 / p China (Peoples Republic)	Published FELTON INTERNATIONAL, INC	02823295.X	24-May-2004	JAM JEL
Foreign Matter No.: 04271043 Resp.Off.: IL <i>Title: Jet Injector With Hand Piece</i>						
08-Jun-2006 Reminder	REQUEST FOR EXA Follow Up Date REQUEST FOR EXAMINATION	114010.02033872 / p Australia	Pending FELTON INTERNATIONAL, INC	2002332125	10-May-2004	JAM JEL
Foreign Matter No.: 04282218 Resp.Off.: IL <i>Title: Jet Injector With Hand Piece</i>						
15-Jun-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL <i>Title: Handpiece For Jet Injector</i>						

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
10-Jul-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 Canada	Pending FELTON INTERNATIONAL, INC	2387326	11-Apr-2002	JAM JEL
Foreign Matter No.: 02975034 Resp.Off.: IL						
10-Jul-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 European Patent Convention	Granted FELTON INTERNATIONAL, INC	00981015.1 1220697	12-Apr-2002 29-Dec-2004	JAM JEL
Foreign Matter No.: 02975089 Resp.Off.: IL						
10-Jul-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01753150 / p1 France	Granted FELTON INTERNATIONAL, INC	00981015.1 1220697	12-Apr-2002 29-Dec-2004	JAM JEL
Foreign Matter No.: 05108061 Resp.Off.: IL						
15-Jul-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL						
15-Aug-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29/161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL						
17-Aug-2006 Reminder	OFFICE ACTION Follow Up Date OFFICE ACTION	114010.01753150 / p2 China (Peoples Republic)	Published FELTON INTERNATIONAL, INC	02823299.2	24-May-2004	JAM JEL
Foreign Matter No.: 04271072 Resp.Off.: IL						
Foreign Matter No.: 04271072 Resp.Off.: IL						

07-Mar-2006 To 31-Dec-2006

Due Date Indicator	Action Due Action Type	Client.Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
22-Aug-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01752810 / e2 European Patent Convention	Granted FELTON INTERNATIONAL, INC	00980728.0 1231960	23-May-2002 09-Feb-2005	JAM JEL
Foreign Matter No.: 02989780 Resp.Off.: IL <i>Title: Safety Mechanism to Prevent Accidental Patient Injection and Methods of Same</i>						
22-Aug-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01752874 / c0 Canada	Pending FELTON INTERNATIONAL, INC	2392598	23-May-2002	JAM JEL
Foreign Matter No.: 02989628 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
30-Aug-2006 Reminder	3 MO. ANNUITY WARNING ANNUITY SCHEDULE	114010.01752874 / e1 European Patent Convention	Pending FELTON INTERNATIONAL, INC	00982218.0	23-May-2002	JAM JEL
Foreign Matter No.: 02989774 Resp.Off.: IL <i>Title: Injector Assembly With Driving Means and Locking Means</i>						
15-Sep-2006 Reminder	STATUS RE: FILING	114010.02993189 / United States of America	Granted FELTON INTERNATIONAL, INC	29161909 D488862	04-Jun-2002 20-Apr-2004	JAM JEL
Foreign Matter No.: 02993189 Resp.Off.: IL <i>Title: Handpiece For Jet Injector</i>						
30-Sep-2006 Reminder	6 MO. MAINTENANCE FEE WARNING US-MAINTENANCE FEE WARNINGS	114010.01752776 / United States of America	Granted FELTON INTERNATIONAL, INC	09685633 6626871	10-Oct-2000 30-Sep-2003	JAM JEL
Foreign Matter No.: 01752776 Resp.Off.: IL <i>Title: Method and Apparatus For Removing Cap From Medical Device</i>						
10-Oct-2006 Due Date	ANNUITY DUE ANNUITY SCHEDULE	114010.01753150 / p1 Canada	Pending FELTON INTERNATIONAL, INC	2387326	11-Apr-2002	JAM JEL
Foreign Matter No.: 02975034 Resp.Off.: IL <i>Title: Universal Protector Cap For Injectors</i>						

Tuesday, March 07, 2006

Due Date List By Date

07-Mar-2006 To 31-Dec-2006

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10-Oct-2006	ANNUITY DUE	114010.01753150 / pl	Granted	00981015.1	12-Apr-2002	JAM
Due Date	ANNUITY SCHEDULE	European Patent Convention	FELTON INTERNATIONAL, INC	1220697	29-Dec-2004	JEL

Foreign Matter No.: 02975089

Resp.Off.: IL

Title: Universal Protector Cap For Injectors

10-Oct-2006	ANNUITY DUE	114010.01753150 / p1	Granted	00981015.1	12-Apr-2002	JAM
Due Date	ANNUITY SCHEDULE	France	FELTON INTERNATIONAL, INC	1220697	29-Dec-2004	JEL

Foreign Matter No.: 05108061

Resp. Off.: IL

Title: Universal Protector Cap For Injectors

15-Oct-2006	STATUS RE: FILING	114010.02993189 /	Granted	29/161909	04-Jun-2002	JAM
Reminder		United States of America	FELTON INTERNATIONAL, INC	D488862	20-Apr-2004	JEL

Foreign Matter No.: 02993189

Resp. Off.: IL

Title: Handpiece For Jet Injector

15-Nov-2006	STATUS RE: FILING	114010.02993189 /	Granted	29/161909	04-Jun-2002	JAM
Reminder		United States of America	FELTON INTERNATIONAL, INC	D488862	20-Apr-2004	JEL

Foreign Matter No.: 02993189

Resp.Off.: IL

Title: Handpiece For Jet Injector

	ANNUITY DUE	114010.01752810 / e2	Granted	00980728.0	23-May-2002	JAM
			Eurasian Patent Convention		09-Feb-2005 <td>JEL</td>	JEL
			FELTON INTERNATIONAL, INC.	1231960		
22-Nov-2006						

Foreign Matter No.: 02989780

Resp. Off.: IL

3.1.3. Safety Mechanism to Prevent Accidental Patient Injection and Methods of Same

22-Nov-2006	ANNUITY DUE	114010.01752874 / c0	Pending	2392598	23-May-2002	JAM
						JEL

Foreign Matter No.: 02989628

Resp. Off.: IL

Title: Injector Assembly With Driving Means and Locking Means

Tuesday, March 07, 2006

Due Date List By Date

Page: 9

07-Mar-2006 To 31-Dec-2006

Due Date Indicator	Action Due Action Type	Client/Matter/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
30-Nov-2006	ANNUITY DUE	114010.01752874 / e1	Pending	00982218.0	23-May-2002	JAM
Due Date	ANNUITY SCHEDULE	European Patent Convention	FELTON INTERNATIONAL, INC			JEL
Foreign Matter No.:	02989774					
Resp.Off.: IL						

Title: Injector Assembly With Driving Means and Locking Means

15-Dec-2006	STATUS RE: FILING	114010.02993189 /	Granted	29/161909	04-Jun-2002	JAM
Reminder		United States of America	FELTON INTERNATIONAL, INC	D488862	20-Apr-2004	JEL
Foreign Matter No.:	02993189					
Resp.Off.: IL						

Title: Handpiece For Jet Injector

30-Dec-2006	3 MO. MAINTENANCE FEE WARNING	114010.01752776 /	Granted	09/685633	10-Oct-2000	JAM
Reminder	US-MAINTENANCE FEE WARNINGS	United States of America	FELTON INTERNATIONAL, INC	6626871	30-Sep-2003	JEL
Foreign Matter No.:	01752776					
Resp.Off.: IL						

Title: Method and Apparatus For Removing Cap From Medical Device